S.B.CRIMINAL MISC. BAIL APPLICATION NO.5780/2006

Date : 04.01.2007

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Vijay Rajpurohit for the applicant.
Mr. V.R. Mehta, Public Prosecutor for State.
Mr. P.N. Mohanani for complainant.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State assisted by learned counsel for the complainant and carefully gone through the impugned order.

Taking into consideration the overall facts and circumstances of the present case, I do not feel inclined to extend benefit of bail to the applicant, however, I deem it proper to pass following order :

The learned trial court shall first of all record the statement of the prosecutrix. After recording of the statement of the prosecutrix, the applicant shall be at liberty to move regular bail application before the learned trial court. Learned counsel appearing for the complainant has

assured that on the date fixed for evidence, the prosecutrix will be produced in the Court for evidence.

With above observation, the bail application stands rejected.

(SATYA PRAKASH PATHAK), J.

vij